IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTY EIGHTH DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE G. BIKSHAPATHY

And
THE HON'BLE MR JUSTICE P.S.NARAYANA

WRIT PETITION NO : 1278 of 2005

Between:

1. S.V. Ramana Rao, s/o Narayanarao,
   Working as Manager (Engineering) Lalapet Section, H.M.W.S. & S.B., Hyderabad.
2. R.V.S.S. Suryanarayana Raju, s/o Subbaraju,
   Working as Manager (Engineering) Single Window Cell,

Ghoshamahal, H.M.W.S., & S.B. Hyderabad.

..... PETITIONERS

AND

1. The Managing Director, H.M.W.S., & S.B., Hyderabad.
2. The Engineer-in-Chief, Public Health, Kathana

A.C. Guards, Hyderabad-500 004.
3 The Govt. of A.P., rep., by its Principle Secretary,

Municipal Administration and Urban Development Dept.,
Secretariat Buildings, Hyderabad-500 022.
4 D. Nagabhushanam, Manager (Engineering) H.M.W.S., & S.B., Hyderabad.
5 K. Rajasekhar Reddy, Manager (Engineering) H.M.W.S., & S.B., Hyderabad.
6 T.V. Sriodhar, Manager (Engineering) H.M.W.S., & S.B., Hyderabad.
7 V. Satyanarayana, Manager (Engineering) H.M.W.S., & S.B., Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to

issue a writ order or direction more particularly in the nature of *Writ of Certiorari* a) by calling for the records in O.A.No.6597/04 dt.7-1-05 on the file of the APAT order quash the same and b) to declare that the petitioners are the regular employees of the Hyderabad Metropolitan Water Supply and Sewerage Board and they are entitled for promotion for the next higher post taking their seniority into consideration; c) to direct the 1st respondent Board to prepare and publish the seniority list in the category of Manager (Engg) Deputy General Manager (Engg.) General Manager (Engg.) and Chief General Manager (Engg.).

Counsel for the Petitioner: MR.P.BALA KRISHNA MURTHY

Counsel for the Respondent No.1: Smt. M. Venkateswari

Counsel for the Respondent Nos.2 and 3: GP FOR SERVICES I

Counsel for the Respondent Nos.4 to 7: Mr. Gandrakota Gopal Rao

The Court at the admission stage made the following:

ORDER: (Per Hon'ble Sri Justice G. Bikshapathy)

The writ petition is filed, assailing the order passed by the Tribunal in O.A.No.6597 of 2004, dated 07.01.2005.

2. The matter relates to the service conditions of the Engineers in Hyderabad Metropolitan Water Supply and Sewerage Board. The said O.A. was admitted and notices were issued to the respondents. At that point of time, the present writ petition has been filed. The Tribunal in the order observed that number of petitions are pending with regard to the absorption of the employees and all the matters were referred to full bench and the said matters are pending adjudication before the Full Bench of the Tribunal. During the pendency of the matter, if the department is permitted to promote the employees, it will create unending litigation.

3. The learned counsel for the petitioners submits that there was already an interim direction in respect of their cases before the Tribunal with regard to the consideration of the cases for promotion to the posts of Deputy General Manager (Engineering) in the existing vacancies in accordance with the regulations issued under Hyderabad Metropolitan Water Supply and Sewerage Board.

4. The learned counsel for water Supply and Sewerage Board submits that counter has already been filed and the matter is ripe for hearing. In fact, the matters were referred to full bench of the Tribunal for consideration. In this scenario, we are not inclined to go into the merits of the case and we feel it desirable to request the Tribunal to dispose of the matters as expeditiously as possible. But, however, we find that pending disposal of the O.A., status quo obtaining as on today shall be maintained in the interest of the employees as well as the department.

4. Under these circumstances, we dismiss the writ petition directing the Tribunal to dispose of the O.A.6597 of 2004 and O.A.No.5363 of 1993 and batch within a period of two months from the date of hearing. Pending disposal of the O.A., status quo obtaining as on to day with regard to the promotion to the post of Deputy General Managers shall be maintained.

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(G. BIKSHAPATHY, J)

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(P.S. NARAYANA, J)

Date: 28.02.2005

Ksn

..... REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1. The Managing Director, H.M.W.S., & S.B., Hyderabad.
2. The Engineer-in-Chief, Public Health, Kashana

A.C. Guards, Hyderabad-500 004.
3 The Principal Secretary, Government of A.P.

Municipal Administration and Urban Development Dept.,
Secretariat Buildings, Hyderabad-500 022.

4. 2 C. Cs to G.P. for Services I, High Court Buildings, Hyderabad (OUT)

5. 2 CD copies

6. 1 CC to MR.BALA KRISHNA MURTHY

7. 1 CC to MR.GOPALA RAO GANDRAKOTA

*Form-NIC-OGS/WP{**RS**}*